

Message Text

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ORIGIN NEA-10

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DRAFTED BY NEA/P:WBHARRIS:DP
APPROVED BY NEA/P:GFSHERMAN
PA/PRESS - MR. CARTER
H - MR. FLATEN
NEA/IAI - MR. SMITH
SSM - MR. MC ANDREW
NEA/ARN - MR. DRAPER
NEA/EGY - MR. NEWBERRY
NEA/ARP - MR. TWINAM

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O 070117Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY AMMAN IMMEDIATE
AMEMBASSY BEIRUT IMMEDIATE
AMEMBASSY CAIRO IMMEDIATE
AMEMBASSY DAMASCUS IMMEDIATE
AMCONSUL JERUSALEM IMMEDIATE
AMEMBASSY TEL AVIV IMMEDIATE
AMEMBASSY JIDDA IMMEDIATE
AMEMBASSY MANAMA
AMEMBASSY RABAT
AMEMBASSY SANA
AMEMBASSY TEHRAN
AMEMBASSY TRIPOLI
AMEMBASSY TUNIS
USMISSION SINAI
AMCONSUL DHAHRAN
USMISSION GENEVA
AMEMBASSY KHARTOUM
AMEMBASSY LONDON
AMEMBASSY MOSCOW
USMISSION USNATO
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AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION USUN NEW YORK
AMEMBASSY ABU DHABI
AMEMBASSY ALGIERS
USINT BAGHDAD
AMEMBASSY DOHA
AMEMBASSY KUWAIT
USCINCEUR
JCS WASHDC 0000

DOD
CIA WASHDC 0000
USIA
NSC WASHDC 0000

UNCLAS STATE 089487

CINCEUR FOR POLAD; TEL AVIV FOR PAO, DELIVER BY 9 A.M.

E.O. 11652: N/A

TAGS: PFOR

SUBJECT: DEPARTMENT PRESS BRIEFING - APRIL 6, 1978

1. FOR YOUR INFORMATION AND GUIDANCE FOLLOWING ARE
EXCERPTS FROM DEPARTMENT PRESS BRIEFING FOR APRIL 6.
FYI ONLY, OFFICER PRESENT TODAY WAS TOM RESTON.

Q. IN THE SECRETARY OF STATE'S LETTER CONCERNING THE
POSSIBLE VIOLATION OF THE 1952 AGREEMENT BY THE USE OF
AMERICAN ARMS IN SOUTHERN LEBANON BY ISRAEL, HE MENTIONS
THAT WE ARE DISCUSSING WITH ISRAEL A DATE FOR THIER WITH-
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DRAWAL. CAN YOU TELL US ANY MORE ABOUT THOSE NEGOTIATIONS?
WHAT ARE WE THINKING OF IN TERMS OF DAYS, WEEKS, A SPECI-
FIC DATE, OR A RATE, OR WHAT?

A. I REALLY CAN'T GO INTO THAT FOR YOU. WE ARE DISCUSSING
IT WITH THEM. THOSE DISCUSSIONS CONTINUE, BUT I CAN'T GO
INTO IT.

Q. AND CAN YOU, WHILE YOU ARE GIVING US ANSWERS, TELL US
WHETHER YOU THINK THE INTERVAL THAT HAS OCCURRED COMPLIES
WITH THE DEFINITION IN RESOLUTION 452 OF FORTHWITH.

A. I DON'T HAVE AN OFFICIAL JUDGMENT AS TO WHETHER THAT
COMPLIES WITH THE RESOLUTION.

Q. ARE YOU TRYING TO HASTEN THE WITHDRAWAL?

A. I AM NOT GOING TO APPLY THAT VERB TO IT. WE ARE
DISCUSSING THEIR PLANS, WHAT THEY PLAN TO DO, AND WE OF
COURSE ARE SUPPORTING THE LANGUAGE OF THAT RESOLUTION.

Q. EZER WEIZMAN REPORTEDLY TOLD PRESIDENT SADAT THAT IT
IS ISRAEL'S INTENTION TO BE OUT BY THE END OF THIS MONTH.
WOULD THAT BE CONSIDERED ADEQUATE HASTE -- I REALIZE YOU
DON'T WANT TO USE THE WORD "HASTE."

A. I AM NOT IN A POSITION TO GIVE YOU A FORMAL JUDG-

MENT AS TO WHAT WE WOULD CONSIDER AN APPROPRIATE TIME FOR THEM TO LEAVE SOUTH LEBANON.

Q. OBVIOUSLY THIS IS UNDER SOME KIND OF REVIEW IN THIS BUILDING. THERE MUST BE SOME ASSESSMENT THAT IS IN THE PROCESS OF BEING MADE, OTHERWISE WHY BOTHER SENDING THE LETTER IF THE REVIEW IS GOING TO BE INDEFINITE. CAN YOU GIVE US SOME NOTION AS TO WHEN THAT REVIEW MIGHT BE COMPLETED AND WHEN YOU WILL HAVE A TIME BACK IN YOUR OWN UNCLASSIFIED

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MIND?

A. LET ME SAY THAT THERE WAS A REVIEW WHICH HAS NOW BEEN COMPLETED OF WHETHER IN FACT THE ISRAELIS WERE USING AMERICAN WEAPONS FOR PURPOSES WHICH MIGHT HAVE VIOLATED THE AGREEMENTS WHICH WE HAVE WITH THEM, AND THAT REVIEW IS NOW COMPLETED, AND THE LETTER WAS SENT YESTERDAY EVENING TO THE HILL.

AS TO WHETHER THERE IS A REVIEW UNDERWAY ABOUT WHAT WOULD BE AN APPROPRIATE TIME FOR THE ISRAELIS TO LEAVE SOUTH LEBANON. I AM NOT SURE THERE IS A FORMAL REVIEW UNDERWAY ABOUT THAT. BUT WE ARE DISCUSSING THE MATTER WITH THE ISRAELIS.

Q. WHEN ISRAEL INVADED SOUTHERN LEBANON, THE STATE DEPARTMENT DESCRIBED IT AS LEGITIMATE SELF-DEFENSE. WHAT WOULD YOU DESCRIBE THE CONTINUOUS OCCUPATION OF SOUTHERN LEBANON BY THE ISRAELIS RIGHT NOW? IS IT STILL LEGITIMATE SELF-DEFENSE?

A. WE BELIEVE THAT THERE ARE SERIOUS QUESTIONS AS TO THE COMPATIBILITY OF THE ISRAELI OPERATIONS WITH THE US-ISRAEL AGREEMENT LIMITATIONS BECAUSE OF THE CIRCUMSTANCES,

SCALE, AND DURATION OF THOSE OPERATIONS.

Q. SO IT IS FULLY LEGAL THEN FOR THEM TO REMAIN IN LEBANON?

A. NO, I DIDN'T SAY THAT. WE HAVE CONFIDENCE THAT THE ISRAELIS WILL COMPLY WITH THE UN RESOLUTION, AND WE ARE DISCUSSING THAT WITH THEM.
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Q. I WOULD LIKE TO GO BACK TO THE SECRETARY'S LETTER TO THE SPEAKER OF THE HOUSE. I AM A BIT INTRIGUED BY THE LANGUAGE THAT HE USES. WHAT DOES IT MEAN IN ENGLISH -- "MAY HAVE BEEN A VIOLATION?" HAS THERE BEEN A VIOLATION

OR HAS THERE NOT BEEN A VIOLATION? HAS THIS BEEN ESTABLISHED OR NOT?

A. THE SECRETARY'S LETTER IS A REPORT TO THE CONGRESS WHICH IS REQUIRED UNDER SECTION 3C OF THE ARMS EXPORT CONTROL ACT. WHEN WE HAVE INFORMATION THAT A VIOLATION OF THE RELEVANT MILITARY SUPPLY AGREEMENT "MAY HAVE OCCURRED", AND THAT "MAY HAVE OCCURRED" COMES FROM THE STATUTE. WHILE THERE ARE COMPLEX QUESTIONS AS TO WHEN AND TO WHAT EXTENT A STATE MAY USE ARMED FORCE IN THE TERRITORY OF A NEIGHBOR STATE, WHICH IS NOT CONTROLLING THE ACTIVITIES OF HOSTILE GROUPS LOCATED THERE, OUR REVIEW OF THE CIRCUMSTANCES OF THE ISRAELI OPERATIONS INDICATED THAT A REPORT UNDER SECTION 3C WAS CALLED FOR.

Q. SO, WHAT I UNDERSTAND FROM YOUR LANGUAGE RIGHT NOW IS SINCE THE NEIGHBORING COUNTRY WAS UNABLE TO CONTROL THE AREA, THEREFORE IT IS LEGAL FOR ISRAEL TO GO AND TAKE ACTION AGAINST THEM IN ORDER TO MAINTAIN ORDER?

A. NO. I AM SAYING THERE ARE COMPLEX QUESTIONS OF LAW IN A SITUATION WHERE A STATE MAY USE ARMED FORCES IN THE TERRITORY OF A NEIGHBOR STATE WHICH IS NOT CONTROLLING THE ACTIVITIES OF HOSTILE GROUPS THERE. I AM SAYING THERE ARE COMPLEX QUESTIONS OF LAW INVOLVED THERE. BUT IN THIS SITUATION WE REVIEWED THE SITUATION AND WE BELIEVED THAT THE SCOPE AND DURATION AND CIRCUMSTANCES OF THE ISRAELI OPERATIONS IN SOUTHERN LEBANON LED US TO BELIEVE THAT WE HAD TO MAKE A REPORT TO THE CONGRESS.

Q. YOU TALK ABOUT "WITH THE US-ISRAEL AGREEMENT LIMITA-
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TIONS.: ARE YOU REFERRING THERE TO THE AGREEMENTS UNDER WHICH ARMS WENT TO ISRAEL, OR WHAT AGREEMENT?

A. I SAID THERE ARE SERIOUS QUESTIONS AS TO THE COMPATIBILITY OF THE ISRAELI OPERATIONS WITH THE US-ISRAEL AGREEMENT LIMITATIONS. I AM TALKING ABOUT THE LIMITATIONS WHICH ARE PLACED ON ISRAEL AS A RECIPIENT OF AMERICAN ARMS.

Q. SINCE THAT DURATION IS STILL GOING ON, AND IT IS AN ELEMENT, THEN WHATEVER JUDGMENT YOU HAVE DRAWN ABOUT THE ORIGINAL INVASION ON MARCH 15TH APPLIES TO TODAY, THAT, IN OTHER WORDS, WHATEVER DID OCCUR IS STILL OCCURRING.

A. IT IS CLEAR THAT THE ISRAELIS ARE STILL IN SOUTHERN LEBANON. I WANT TO BE VERY CAREFUL HERE, BECAUSE THE WORDING IS THAT A VIOLATION MAY HAVE OCCURRED. THAT IS ALL THE FINDING IS SUGGESTING. THE FINDING DOES NOT SUGGEST THAT THERE IS A VIOLATION. IT SUGGESTS ONLY THAT

IT MAY HAVE OCCURRED.

Q. ARE YOU SAYING THEN, THAT IF IT HAD BEEN ON A LESSER SCALE, OR OF A SHORTER DURATION, IT MAY NOT HAVE BEEN, OR WOULDN'T BE NECESSARY TO SEND A REPORT?

A. NO, I AM SUGGESTING WHAT MAY HAVE OCCURRED IS STATUTORY LANGUAGE WHICH WE ARE FOLLOWING -- THE LANGUAGE OF THE STATUTE. AND I DON'T WANT TO SAY THAT IF THE SCALE HAD BEEN LESS OR GREATER IT NECESSARILY WOULD LEAD US TO A DIFFERENT CONCLUSION. THERE ARE MANY FACTORS WHICH GO INTO A DETERMINATION -- CIRCUMSTANCES, DURATION, SCALE -- I DON'T WANT TO GIVE PRECEDENCE OR PREDOMINANCE NECESSARILY TO ANY ONE OF THOSE FACTORS.
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Q. NOW THAT YOU HAVE FOUND THERE MAY BE A VIOLATION IS THE STATE DEPARTMENT UNDER ANY STATUTORY REQUIREMENT TO DETERMINE WHETHER THERE HAS IN FACT, BEEN A VIOLATION?

A. NO, I DON'T BELIEVE THERE IS.

Q. AREN'T YOU REQUIRED TO REPORT TO CONGRESS ONLY WHEN THERE WAS A VIOLATION?

A. NO. THAT IS INCORRECT.

Q. WELL, LET ME TAKE YOU BACK FOR A MOMENT THEN, IF I MAY, TO A SUBJECT THAT IS COMING UP AGAIN TODAY AND THAT IS THE QUESTION OF THE TURKISH VIOLATION. WAS THE

ONLY FINDING AT THAT TIME THAT THERE MAY HAVE BEEN A VIOLATION?

A. I AM A LITTLE UNCLEAR AS TO THE SITUATION AND THE STATUTORY AUTHORITY UNDER WHICH WE WERE OPERATING IN THOSE DAYS. LET ME TAKE THE QUESTION.

Q. DON'T YOU HAVE SOME CONCERN IN YOUR MIND THAT BY HANDLING THIS IN THIS STATUTORY MANNER, THAT YOU LEAVE THE DOOR OPEN FOR ANY NATION TO RECEIVE ARMS FROM THE UNITED STATES, TO DO AS IT LIKES WITH THEM -- GIVE THEM TO THE ARABS -- GIVE THEM TO EGYPT -- DO WHAT IT LIKES WITH THEM AND THEN TAKE REFUGE IN THIS? BECAUSE THERE IS NO BASIC REQUIREMENT THAT THEY BE FOUND ACTUALLY OF HAVING COMMITTED A VIOLATION.

A. NO, I AM NOT CONCERNED ABOUT THAT; AND THE REASON WHY I AM NOT CONCERNED ABOUT THAT IS THAT THERE ARE DISCRETIONARY PROVISIONS IN THIS STATUTE. WE COULD HAVE RECOMMENDED TAKING ACTION IN THE CIRCUMSTANCES IN THIS
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CASE -- AND AS THE LETTER STATES -- BECAUSE OF THE UN RESOLUTION AND BECAUSE OF THE CIRCUMSTANCES SURROUNDING THIS OPERATION, WE ARE RECOMMENDING NO FURTHER ACTION FOR THE PRESENT.

Q. WHAT ACTIONS ARE AVAILABLE?

A. I THINK THEY ARE SET FORTH IN THE STATUTE ITSELF, AND I WOULD HAVE TO GO BACK AND CHECK.

Q. WOULD YOU DO THAT, PLEASE?

A. YES, I WILL.

Q. PRIME MINISTER BEGIN IN AN INTERVIEW WITH "THE WASHINGTON POST" THIS MORNING, SAID THAT HE HAD SUGGESTED THAT FOREIGN MINISTER DAYAN COME TO WASHINGTON TO CONTINUE THE TALKS AND THERE HAS BEEN NO REPLY. IS THIS UNDER REVIEW, OR UNDER DISCUSSION?

A. I HAVE NOTHING ON THAT FOR YOU.

Q. COULD YOU CHECK, PLEASE?

A. YES.

Q. I THINK YOU TOOK A QUESTION YESTERDAY THAT WEAPONS

FOUND ON THE TERRORISTS WHO COMMITTED THE ATTACK IN TEL AVIV SOME WEEKS AGO WERE TRACED TO SAUDI ORIGINS. THEY HAD SAUDI SERIAL NUMBERS AND THINGS LIKE THAT AND THAT INFORMATION HAD BEEN SUPPLIED TO THE AMERICAN GOVERNMENT FOR INVESTIGATION. ARE THERE ANY RESULTS OF THAT?
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A. THE PENTAGON IS INVESTIGATING THIS MATTER AS IS THE SAUDI GOVERNMENT. WE HAVE RECENTLY HAD A REPORT FROM THE ISRAELI MILITARY LISTING CERTAIN SMALL ARMS AND MUNITIONS OF APPARENT US ORIGIN WHICH THE ISRAELIS BELIEVE MAY HAVE BEEN TRANSFERRED BY THE SAUDIS TO THE PALESTINE LIBERATION ORGANIZATION.

WE HAVE ALREADY DETERMINED THAT MOST OF THE ITEMS IDENTIFIED TO US BY THE ISRAELIS, HAVE NOT BEEN SUPPLIED TO SAUDI ARABIA; AND WE HAVE SO INFORMED THE ISRAELIS.

WE HAVE NO EVIDENCE THAT THE SAUDIS HAVE TRANSFERRED US ORIGIN MILITARY MATERIAL TO THE PALESTINIANS BUT AS WE HAVE SAID, OUR CURRENT INVESTIGATION IS CONTINUING.

Q. ON THE BASTS OF THE NUMBERS FURNISHED ALREADY BY THE ISRAELIS, CAN YOU TELL WHERE THOSE SMALL ARMS CAME FROM?

A. I DON'T KNOW THE ANSWER TO THAT QUESTION.

Q. COULD YOU FIND OUT?

A. I'LL CHECK IT.

Q. I THOUGHT THEY ARE AMERICAN MADE ARMS. AREN'T THEY?

A. I HAVE SAID THAT MOST OF THE ITEMS IDENTIFIED TO US BY THE ISRAELIS HAVE NOT BEEN SUPPLIED TO SAUDI ARABIA.

Q. BUT WHOM WERE THEY SUPPLIED BY?

A. BUT I HAVE ALSO SAID THAT THESE SMALL ARMS AND MUNITIONS ARE OF APPARENT US ORIGIN.

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Q. YOU ARE NOT INTERESTED AT ALL TO FIND OUT WHAT WEAPONS OF US ORIGIN HAVE REACHED THE PALESTINIANS?

A. THAT MAY BE PART OF THE INVESTIGATION, AND I THINK THAT THE PROPER PLACE TO ASK THAT QUESTION IS AT THE PENTAGON, WHICH IS CONDUCTING THE INVESTIGATION AS TO WHETHER THAT FALLS WITHIN THE SCOPE OF THE CURRENT

INVESTIGATION.

Q. ALSO CAN YOU TAKE THAT QUESTION TO LET US KNOW TO WHOM THOSE WEAPONS WERE SUPPLIED TO -- TO WHICH COUNTRY IN THE MIDDLE EAST?

A. NO, I WON'T.

Q. WHY NOT?

A. I WANT YOU TO ASK THE QUESTION TO THE PENTAGON.

Q. CAN YOU TELL US WHAT THESE ITEMS ARE OR HAS THAT ALREADY BEEN REVEALED?

A. I REALLY DON'T KNOW. CERTAIN SMALL ARMS AND MUNITIONS.

Q. WELL, WOULD YOU BE SAYING THEN THAT SOME OF THOSE ITEMS WERE SUPPLIED TO SAUDI ARABIA NOW, SINCE YOU SAID "MOST OF THEM"?

A. I TAKE THIS TO MEAN THAT THE INVESTIGATION IS NOT COMPLETE AND THAT WE STILL ARE LOOKING INTO ALL THE ITEMS.

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Q. IF SAUDI ARABIA SORT OF MAIL ORDERS THESE THINGS AND NEVER HAS THESE WEAPONS DELIVERED TO SAUDI ARABIA BUT HAS THEM DELIVERED DIRECTLY TO BEIRUT, IS THIS A VIOLATION OF THE LAW, AS YOU UNDERSTAND IT?

A. I DON'T KNOW.

Q. COULD IT HAVE BEEN THAT THEY JUST HAD IT DIRECTLY DELIVERED AND THEY NEVER LAID SAUDI ARABIAN HANDS ON THESE ARMS?

A. I JUST DON'T KNOW.

Q. YOUR USE OF THE WORD "MOST" LEAVES OPEN THE IMPLICATION THAT SOME OF THOSE WEAPONS, NUMBERS SUPPLIED BY THE ISRAELI MILITARY, WERE IN FACT SUPPLIED BY THE UNITED STATES TO SAUDI ARABIA.

A. YES. THERE COULD BE EITHER THAT IMPLICATION TO IT OR IT COULD BE THAT THE INVESTIGATION IS NOT COMPLETE AND WE HAVE NOT REVIEWED ALL THESE ARMS.

Q. AND WHICH IS TRUE OF THOSE TWO STATEMENTS?

A. I DON'T KNOW. YOU KNOW, I'M PLAYING A SILLY LITTLE GAME HERE ABOUT "GO TO THE PENTAHON." I WILL TAKE THE QUESTION WHICH IS WAS REFUSING TO TAKE A MINUTE AGO. AND I WILL ALSO THAKE THE QUESTION OF WHAT THE IMPLICATION OF THE WORD "MOST" IS.

Q. FIRST, THE SENATE GAS AGREED TO VOTE ON THE PANAMA CANAL TREATY ON THE 18TH. IS THERE, IN LIGHT OF THAT, NOW A DATE FOR SENDING UP THE ARMS PACKAGE?

A. I'M NOT SURE THERE'S AN ACTUAL DATE SET FIRM. DIDN'T
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WE POST AN ANSWER ON THIS?

Q. YES. THE ANSWER HAS ALWAYS BEEN FOR SOME TIME THAT IT WOULD GO UP SHORTLY AFTER THE PANAMA CANAL MATTER. THE ANSWER GAVE THE DATE OF THE 26TH.

A. YES. WELL, THAT HAS BEEN CHANGED NOW. I'M NOT SURE

WE HAVE A SPECIFIC DATE. BUT IF YOU WANT ME TO CHECK I
WOULD BE DELIGHTED TO DO SO.

2. THE FOLLOWING ANSWER TO QUESTION TAKEN AT THE
BRIEFING ON APRIL 4 WAS POSTED IN THE DEPARTMENT ON
APRIL 5:

Q. WHEN WILL THE SECRETARY TESTIFY ON THE AIRCRAFT
PACKAGE AND WHEN WILL THIS PACKAGE BE SUBMITTED TO CONGRESS?

A.--WE EXPECT TO SUBMIT THE PACKAGE TO CONGRESS AS SOON
AS THE SENATE HAS COMPLETED ITS CONSIDERATION OF THE SECOND
PANAMA CANAL TREATY, WHICH IS SCHEDULED TO BE FINISHED
BY APRIL 26.

--THE SECRETARY WILL TESTIFY WHEN INVITED TO DO SO BY
EITHER OF THE RESPONSIBLE COMMITTEES.

3. THE FOLLOWING ANSWER TO QUESTION TAKEN AT THE BRIEF-
ING ON APRIL 5 WAS POSTED IN THE DEPARTMENT ON APRIL 6:

Q. IS IT TRUE THAT THE US CAN DO NOTHING TO CLOSE THE
PLO INFORMATION OFFICE IN NEW YORK, AS A STATE DEPART-
MENT OFFICIAL IS REPORTED TO HAVE SAID ON THE HILL
YESTERDAY?

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A. --IT WAS OPENED IN 1965, PURSUANT TO THE LAW.

--UNDER OUR LAW, A FOREIGN ORGANIZATION CAN REGISTER WITH
THE JUSTICE DEPARTMENT ITS INTENTION TO OPEN SUCH AN
OFFICE, AND IT CAN OPERATE SUCH AN OFFICE IN NEW YORK
AS LONG AS IT OBSERVES OUR LAWS AND MAKES PERIODIC
REPORTS OF ITS ACTIVITIES AND FINANCIAL DISBURSEMENTS.

--OUR VIEW HAS BEEN THAT, AS LONG AS IT COMPLIES WITH ALL
RELEVANT LAWS AND IS STAFFED BY PEOPLE WHO ENTERED
THE US LEGALLY, IT CAN REMAIN IN OPERATION.

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